

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, DECEMBER 2, 2013; 6:30 P.M.  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET**

**Presiding:** Mayor William S. Jenks, III

**Council Members in Attendance:** Jonathan Hines, Monty Jordan, Greg Sawyer, Steven Leonard, Kelly Long, Susan J. Eudaly, Don Morris, Lou Magdits, Jim Williams, Brian Woolley, and Walt Bowe

**Council Members Absent:** Tony Bahr

**Department Directors in Attendance:** Public Works Director Steve Hargis, Parks and Recreation Director Scott Caron, Police Chief Mark Kearse, Environmental Services Director Brady Wilson, Fire Chief Robert Williams, Community Development Director John Petersen, and Finance Director Steffanie Rogers

**Other City Officials in Attendance:** City Administrator John Butz, City Counselor Lance Thurman, and City Clerk Carol Daniels

Mayor Jenks called the meeting to order at approximately 6:30 p.m. and asked that a moment of silence be observed in memory of Mr. Mark Rolufs, a former City Councilman, and former Chair of the Rolla Board of Public Works.

Mayor Jenks then asked a member of the Rolla Ministerial Alliance to give the invocation.

Following the invocation, Councilman Lou Magdits led in the Pledge of Allegiance.

**I. CONSENT AGENDA**

A motion was made by Williams and seconded by Eudaly to approve the consent agenda as submitted. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

The consent agenda consisted of the following:

**(A) Approval of the Rolla City Council Minutes for the following:**

- 1) Rolla City Council Meeting – November 4, 2013
- 2) Rolla City Council Meeting – November 18, 2013

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**II. PUBLIC HEARINGS**

None.

**III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS**

None.

**IV. REPORT OF MAYOR and COUNCIL/REPORTS OF BOARDS AND COMMISSIONS/CITY DEPARTMENTS**

Mayor Jenks referred the Council to (A) the October 2013 Centre Financial Analysis; (B) the October 23, 2013, Parks and Recreation Commission Meeting Minutes; (C) the October 2013, Environmental Services Department Monthly Report; (D) the October 2013 Rolla Municipal Utilities Monthly Report; (E) the October 30, 2013, Rolla Board of Public Works Meeting Minutes; (F) the October 2013, Rolla Police Department Monthly Report; (G) the October 2013, Rolla Animal Control Monthly Report; (H) the October 31, 2013, City's Cash Position and Expenditure Report; (I) the November 2013 Rolla Fire and Rescue Department Monthly Report; (J) the November 12, 2013, Preliminary Minutes of the Planning and Zoning Commission Meeting; (K) the November 7, 2013, Board of Adjustment Meeting Minutes, and; (L) the October 2013, Rolla Municipal Court Monthly Report.

**V. OLD BUSINESS**

**(A) Ordinance Calling for an April 8, 2014, General Municipal Election Sales Tax Issue on Park Funding:** Parks and Recreation Director Scott Caron noted the Council has discussed the park sales tax issue a number of times during the past few months. During the November 18, 2013, City Council meeting, staff presented a proposed ordinance calling for an April 2014 sales tax election. Mr. Caron noted that Councilman Morris suggested the ballot language in the proposed ordinance be amended to clarify the use of the funds. After discussion with City Counselor Lance Thurman and Mr. Morris, staff recommends amending the ballot language to clarify the use of the sales tax proceeds.

**V. OLD BUSINESS (continued)**

**(A) Ordinance Calling for an April 8, 2014, General Municipal Election Sales Tax Issue on Park Funding (continued):** A motion was made by Eudaly and seconded by Morris to the amend the proposed ordinance to read “Shall the municipality of Rolla, Missouri impose a sales tax of one-quarter of one percent (.0025) for eight years beginning October 1, 2014, then reduced to one-eighth of one percent (.00125) beginning October 1, 2022, the portion that expires shall be dedicated to capital maintenance improvements in the park system, the remaining one-eighth of one percent (.00125) shall be dedicated for parks and recreation operations and maintenance?” A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title, as amended. ORDINANCE NO. 4124: AN ORDINANCE AUTHORIZING SUBMISSION TO THE VOTERS OF THE CITY OF ROLLA, MISSOURI, AT THE NEXT MUNICIPAL ELECTION DAY ON APRIL 8, 2014, THE PROPOSITION OF IMPOSING A MUNICIPAL SALES TAX OF ONE-QUARTER OF ONE PERCENT BEGINNING OCTOBER 1, 2014, FOR EIGHT YEARS, REDUCED TO ONE-EIGHTH OF ONE PERCENT BEGINNING OCTOBER 1, 2022, FOR THE PURPOSE OF PROVIDING FUNDING FOR LOCAL PARKS AND RECREATION, INCLUDING, BUT NOT LIMITED TO CONSTRUCTION, OPERATION AND MAINTENANCE. A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance, as amended. A roll call vote on the motion showed the following: Ayes; Bowe, Woolley, Leonard, Williams, Hines, Long, Magdits, Jordan, Morris, Sawyer, and Eudaly. Nays; None. Absent; Bahr. Motion carried. The ordinance passed.

**VI. NEW BUSINESS**

**(A) Motion to Authorize the Destruction of Certain Records:** Police Chief Mark Kearse indicated that in accordance with the Missouri Secretary of State’s Records Retention Schedule, staff is requesting the destruction of the year 2000 incident and accident reports, which have been placed on microfilm. A motion was made by Williams and seconded by Morris to authorize the destruction of the year 2000 incident and accident reports. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**VI. NEW BUSINESS (continued)**

**(B) Discussion Regarding Regulating Peddlers, Solicitors, and Canvassers:** City Administrator John Butz reported that each year the City receives complaints from residents who feel intimidated or threatened by over-aggressive peddlers. He informed the Council that peddlers/solicitors are treated like any other business requiring a standard application through the Finance Department with a \$50 fee for a 30-day period. Although the question about conviction is asked on the application, Mr. Butz said there is no repercussion for it. Based on the most recent complaint the City received about a couple of months ago where the senior citizen was very upset, Mayor Jenks asked staff to research this issue. In discussions with the Missouri Municipal League (MML) and the City's legal counsel, the City was told it could not prohibit a legal activity that is recognized by the State of Missouri, but there are restrictions that can be imposed. Mr. Butz referred the Council to the draft ordinance that staff refined to something that might be considered in Rolla.

Police Chief Mark Kearse addressed the Council and said the problem is that some of the transient salespeople are criminals who can do harm and have done harm in the community. Having an ordinance might discourage some of them.

After much discussion, Mayor Jenks indicated he sensed the Council would like City Administrator John Butz to come back with a proposed ordinance that would include screening of peddlers/solicitors and the implementation of a "no visit" list.

**VII. CLAIMS and/or FISCAL TRANSACTIONS**

**(A) Motion to Award Bid for a New Motor for a 2004 Ford F-350:** Fire Chief Robert Williams reported that two weeks ago Fire Administration and the Meramec Regional Planning Commission (MRPC) opened bids for the purchase of a new motor for the 2004 Ford F-350 (Haz Mat vehicle). Three bids were received and staff and the MRPC recommend awarding the bid to the low bidder, Sakelaris Ford, Rolla, Missouri for \$10,626.58. After some discussion, a motion was made by Williams and seconded Long to award the bid for the new motor for the 2004 Ford F-350 to Sakelaris Ford, Rolla, Missouri, for \$10,626.68. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**VIII. CITIZEN COMMUNICATION**

**(A) Open Citizen Communication:** Mayor Jenks opened the floor to anyone wishing to address the Council. No one present addressed the Council.

**IX. MAYOR/CITY COUNCIL COMMENTS**

None.

**X. COMMENTS FOR THE GOOD OF THE ORDER**

**(A) Christmas Parade:** City Administrator John Butz announced that Councilmembers interested in participating in the Christmas Parade on Saturday should contact his office.

**XI. CLOSED SESSION**

A motion was made by Eudaly and seconded by Long to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss ongoing litigation and legal work product. A roll call vote on the motion showed the following: Ayes; Magdits, Eudaly, Hines, Woolley, Leonard, Bowe, Sawyer, Long, Jordan, Morris, and Williams. Nays; None. Absent; Bahr. Motion carried.

The Council adjourned into Closed Session at approximately 7:19 p.m.

**XII. CLOSED SESSION ACTION**

The Council reconvened into open session at approximately 7:49 p.m.

City Counselor Lance Thurman reported that during closed session the Council discussed litigation and legal work product.

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**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at 7:49 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR

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